

GOVERNMENT OF ANDHRA PRADESH

A B S R A C T

Social Welfare Department–Land Acquisition for House Sites – Nizamabad District – Anksapur Village Vailpoor Mandal - Land Acquired to an extent of Ac.5.25 Cts in Sy.No.253, 345 to 348 for provision of house sites to the weaker section people – Sanction of Rs.44,62,474/- towards balance of the decretal charges in AS No.554/2006 in OP No.615/96 – Orders- Issued.

SOCIAL WELFARE (LA.2) DEPARTMENT

G.O Rt.No. 173

Dated: 15.03.2014

Read the following

1. From the District Collector, Nizamabad Lr.No.G2/900/2007, Dated 30.09.2012.
2. From the Commissioner of Social Welfare, A.P., Hyd Lr.No.LA2/4310/2007, Dated 18.10.2012.
3. From the Spl Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad, Lr. No : SRP3/1283/2012, Dated :12.7.2013.

O R D E R:

In the reference 3rd read above, the Spl Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad has informed that the LAO/RDO, Nizamabad has acquired patta land to an extent of Ac. 5-25 Gts of land in Sy. Nos 253, 345 to 348 situated at Anksapur Village of Vailpoor Mandal. Award was also passed vide Proc No : B2/10295/94, Dated 10.11.1995, while fixing the land value @ Rs. 35,500/- per acre and paid land compensation. Dissatisfied, with the compensation paid by the LAO/RDO, Nizamabad, the awardees have filed protest petitions and they have referred to the Court U/s. 18 of LA Act for adjudication. The LAO/RDO , Nizamabad has referred the matter to Civil Court adjudication . The Hon'ble I Addl. Dist Judge, Nizamabad passed the Judgement and decree in OP. No. 615/96, dated 21.10.2005 and enhanced the market value from Rs.35,500/- per acre to Rs.1,93,600/- per acre or Rs. 40/- per Sq. Yd in O.P. No.615/96,. As per opinion of the Government Pleader, Nizamabad an appeal has been filed in the Hon'ble High Court of AP , Hyderabad. The Hon'ble High Court has passed interim orders for depositing the half of the enhanced compensation in LAAS No. 554 of 2006, dt.01.02.2007. Accordingly, an amount of Rs. 21,31,677/- has been deposited in the lower court through cheque bearing No. 836824, dt ; 20.09.2008 on 24.09.2008 toward half of the decretal charges and the appeal was pending. The Claimant have filed cross objections in LAASMP No : 2022/11 and 2065/11 in LAAS No : 554 of 2006 and the court partly allowed the appeals of State and ordered payment of interest from the date of publication of 4(1) Notification of LA Act. i.e. 08.09.1995 instead of the date of possession..16.12.1988, which is much prior to the D.N and allowed the Cross Objections of the claimants and enhanced the market value of the land @ Rs. 60/- per Sq. Yd from Rs. 40/- per Sq. Yd that allowed by the Lower Court relying up on earlier judgement in AS. No : 533/06 & 611/06, which pertains to the acquisition of lands of the same village and disposed off the appeal and cross objections on 21.09.2011. Further, the Govt Pleader for appeals, H.C of AP, Hyderabad vide Lr dated 04.06.2012 has opined that, there is no reason to file appeals in this case and advised the LAO/RDO, Nizamabad to comply with Judgement. The District Collector, Nizamabad has submitted proposals for sanction of Rs.44,97,770/- towards payment of balance decretal charges in AS No.554/2006 in O.P No.615/96 for the patta land acquired to an extent of Ac. 5-25 Gts in Sy. Nos 253, 345 to 348 situated at Anksapur Village of Vailpoor Mandal of Nizamabad District for providing House sites to weaker section people.

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2. After verification and scrutiny of the proposals submitted by the Commissioner of Social Welfare, A.P., Hyderabad/District Collector, Nizamabad, the Spl Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad has sent comparative calculation sheet for sanction of an amount of Rs. 44,62,474/- (Rupees Forty Four lakhs Sixty Two thousand Four hundred and Seventy Four only) towards payment of balance decretal charges in AS No.554/2006 in O.P No.615/96 for the patta land acquired to an extent of Ac. 5-25 Gts in Sy. Nos 253, 345 to 348 situated at Anksapur Village of Vailpoor Mandal of Nizamabad District for providing House sites to weaker section people.

3. Government, after careful examination of the above proposal, hereby accord permission to the Commissioner of Social Welfare, A.P., Hyderabad for release an amount of Rs. 44,62,474/- (Rupees Forty Four lakhs Sixty Two thousand Four hundred and Seventy Four only) to the District Collector, Nizamabad, towards payment of balance decretal charges in AS No.554/2006 in O.P No.615/96 for the patta land acquired to an extent of Ac. 5-25 Gts in Sy. Nos 253, 345 to 348 situated at Anksapur Village Vailpoor Mandal of Nizamabad Dist for providing House sites to weaker sections.

4. The expenditure sanctioned in para (3) above shall be met within the BE.2013-14 and debited to the following Head of Account:

“2225-Welfare of Scheduled Castes, Scheduled Tribes and other Backward Classes – 01 – Welfare of Scheduled Castes – M.H.283- Housing – G.H.11-Normal State Plan – SH(08) Acquisition of House Sites to weaker sections in Indiramma Programme – 310/312 – Other Grant – in – Aid”.

5. The Commissioner of Social Welfare, A.P., Hyderabad is directed to issue necessary Proceedings to the District Collector, Nizamabad to comply with the Court orders in AS No.554/2006 in O.P No.615/96

6. The District Collector, Nizamabad shall verify the calculation sheet submitted by the Land Acquisition Officer once again, before issue of the Proceedings for releasing the amount. If any discrepancy/excess claim is found in the calculation sheet in future, the Land Acquisition Officer shall be held solely responsible.

7. This order does not require the concurrence of Finance (Expr.SW) Department, as per their instructions vide U.O Note No.12869/196/A1/Expr.SW/2009 dated 22.05.2009 and U.O No. 15926/256/A1/1/Expr.SW/09, dated 17.08.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**SHAMSHER SINGH RAWAT
SECRETARY TO GOVERNMENT**

To
The Spl Chief Secretary & Chief Commissioner of Land Administration,
A.P., Hyderabad
The Commissioner of Social Welfare, A.P., Hyderabad,
The District Collector, Nizamabad.

Copy to:
The Director of Treasury & Accounts, A.P., Hyderabad,
The Accountant General, A.P., Hyderabad,
The District Treasury Officer, Nizamabad District.
Finance (Exp.SW/BG) Department
SF/SC.

//FORWARDED:::BY ORDER//

SECTION OFFICER